

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MASSACHUSETTS

DOCKET NO: 04-11933-NMG

SPINIELLO COMPANIES,
Plaintiff,

v.


BRICO INDUSTRIES, INC.
Defendant.

**DEFENDANT, BRICO INDUSTRIES, INC.'S CERTIFICATION
PURSUANT TO LOCAL RULE 16.1(D)(3)**

Pursuant to Local Rule 16.1(D)(3), it is hereby affirmed that we have conferred for the
purposed of:

- A. Establishing a budget for the cost of conducting the full course - and various
alternative courses - of the litigation; and
- B. Considering the resolution of the litigation through the use of alternative dispute
resolution programs.

Defendant, Brico Industries, Inc..


Authorized Representative: Brian P. Bissey, Esquire

Respectfully Submitted By,

Counsel for Defendants,
BRICO INDUSTRIES, INC.

/s/ Grace V. Bacon

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CERTIFICATE OF SERVICE

I certify that this document has been served upon all counsel of record in compliance with the Fed. R. Civ. P.

/s/ Grace V. Bacon

Grace V. Bacon

Date: December 31, 2004